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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. Eternal Steward, we praise You for being with us this day, for You have embraced our Nation as a prize possession, providing us with protection when we need it most.

Sustain our lawmakers as they seek to do Your will. Empower them to see You more clearly, love You more dearly, and follow You more nearly this day and always. May they look to You for guidance, claiming Your promise to direct their steps. In challenging times, give them the wisdom to lift their eyes to You to receive Your grace and mercy.

Most Holy God, thank You for your love and faithfulness.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in morning business until 5:30 p.m., with Senators permitted to speak for up to 10 minutes each.

At 5:30 p.m. the Senate will proceed to four rolloall votes in relation to the

child care and development block grant bill and the Abrams, Cohen, and Ross nominations.

WORKING TOGETHER

Mr. REID. Mr. President, in that great play "Fiddler on the Roof," Tevye says, among other things, and I quote: Good news will stay, and bad news will refuse to leave.

In Washington we all too often focus on the bad news that lingers instead of highlighting the many good things that are being accomplished. ObamaCare is a perfect example. The Affordable Care Act is working. Americans who have enrolled in health plans through the Affordable Care Act are happy with their coverage.

There was a very good article in newspapers all over the country today, including in the Washington Post, which I saw. In this article there is a citation of a recent Gallup survey of Americans who have coverage through ObamaCare, and the findings are very positive—and that is a gross understatement. Seventy-four percent of ObamaCare enrollees rate their coverage as good or excellent. Seventy-five percent say they are satisfied with the cost of their plans. I will repeat that. Seventy-four percent of ObamaCare enrollees rate their coverage as good or excellent, and 75 percent say they are satisfied with the cost of their plans. That is good news to me.

The Affordable Care Act is working for the American people. It is providing quality, affordable health care to families all across our country.

The Senate has a lot of work to do before the 113th Congress comes to a close. There are a few important priorities in this work period. We have to pass an extension of tax credits for American families and businesses. We have to pass the Defense authorization bill, and the President pro tempore of the Senate is concerned about extend-

ing the FISA legislation, the American freedom act. It is so important that we do these things, but also we have to fund our government. That has to be done very soon because early next month the funding expires. We have many nominations that have not been completed. Almost 200 have been held up by my Republican colleagues. John Kerry, the Secretary of State, called me and said he himself had almost 100—well, that is exaggerating a little. He had 60-some; I don't remember the exact number.

We must keep our government funded. I have been having productive bipartisan conversations with Speaker BOEHNER, the Republican leader, and Appropriations chair Senator MIKULSKI. It is clear to me that Republican leaders want to work together to keep the government funded. We have heard there are going to be no government shutdowns from the leaders, but Members of their caucuses are really saying some very scary things.

So the question is whether the Republican leaders will be able to stand up to the radical forces within their own party. It is more than just one or two people; it is a large number of Members of the Republican caucus in the Senate and, of course, the Republican caucus in the House. Can these Republican leaders stand up to these people who are intent on holding our government hostage? There has been a lot of talk the past 3 or 4 days: So we have a government shutdown; so what?

It has become increasingly clear these last few days that a number of Republicans are looking for an example to use to get their ideas—that are somewhat bizarre in the minds of most people—they are using a number of different things as an excuse: Executive action; the President is not doing enough on making sure the Iranians are held down tightly; and on and on with everything they have as an excuse to derail bipartisan legislation to fund the government.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Sadly, though, we have seen this before. The government has been shut down. The government's debt has been defaulted upon. So how is it possible that there is even talk of not funding our government again by anybody? But that is what they are doing.

Just 2 weeks ago the American people sent us a very strong message: Work together. In the press conferences that followed this month's midterm elections, Republicans were saying all the right things about compromise and bipartisanship. Yet, instead of looking for common ground and working to compromise, some of these Republicans are more interested in threats and ultimatums. Why? Because these radical Republicans object to President Obama using his constitutionally established authority to do what President Ronald Reagan and both George Bushes have done—fix as much of the system as he can to protect families suffering under the broken immigration system. Going back to Dwight D. Eisenhower, every President since then has used Executive authority to fix America's immigration system—every President, Republicans and Democrats. For the Republicans to take issue with President Obama for doing the same thing is hypocritical. Why didn't they complain when the two Bush Presidents did things administratively? Why?

I hope Republicans in Congress will object to this brinkmanship. A scorched-earth policy is no way to go. Instead, responsible leaders in the Republican Party need to work with us to complete the business of funding our government regardless of when the President acts to keep families together.

Mr. LEAHY. Will the distinguished majority leader yield for an observation?

The PRESIDING OFFICER (Mr. KAINE). Will the majority leader yield to the Senator from Vermont for a question?

Mr. REID. I yield to the Senator from Vermont.

Mr. LEAHY. Mr. President, as long as I have served in the Senate—and I have served the longest in this body—I have never seen a time when noncontroversial nominations were being held up, whether we have had a Republican or Democratic President. I would note for the majority leader that we have on the calendar 18 nominees for Federal judgeships that passed unanimously. Every Republican and every Democrat in the Judiciary Committee voted for them. Many of them were recommended by Republican Senators and four of them for judicial emergencies. The oldest one has been pending since June, having gone through the committee unanimously. This is not being responsible to the American people.

The distinguished majority leader talked about the use of Executive orders. Concerns have been expressed by the other side about Executive orders on immigration. I would remind every-

body that this body by a 2-to-1 margin—Republicans and Democrats joined together last year to pass a comprehensive immigration bill which covered everything from the people on the borders to those who were already in this country. The Republican leadership in the House has refused to take it up. They complain about the President 1½ years later—during all this time that has passed between the Republican and Democratic votes here, they have refused to take it up. Yet they complain that the President is going to do something.

I say bring it up and vote yes or vote no. Stop this “we will vote maybe.”

The PRESIDING OFFICER. The majority leader.

Mr. REID. To the President pro tempore of the Senate, if the Speaker of the House of Representatives, JOHN BOEHNER, brought up the bill that passed here in the Senate, it would pass overwhelmingly in the House. Virtually every Democrat would vote for it, and I suggest that probably half of the Republicans would vote for it. He won't allow a vote. What is this about? It is beyond my ability to comprehend how they are willing to do everything they can to stop this President from doing what Presidents have done since Dwight Eisenhower.

I would also say this: We have gotten some judges done. That is because we changed the rules to do the outlandish thing of having a majority of the Senate determine whether someone should be confirmed.

If we look at the Constitution of the United States, the people who drafted that Constitution were very smart. We know a number of them were geniuses. And they were very precise in what they wanted to have supermajority votes on. On judges they didn't want supermajority votes but a simple majority of this body, and that is what we did in changing the rules.

But I say to my friend, in spite of that, we have been able to get a lot of judges done, we are going to wind up—by the time the Judiciary Committee continues to do the good work they do, we will probably have over 20 judges who need to be approved this Congress. Postcloture, under the rules we have, there is only 1 hour of time that can be used, so we can get through the judges very quickly. For sub-Cabinet officers it takes 8 hours, and we are normally willing to yield back our time, so 4 hours on every one of those.

We have scores—we are approaching, counting judges and all of the nominations, well over 150 who have been held up, people who have been waiting and waiting. These are jobs that are needed in our country; these are not new positions we have created.

So I would hope we can get past the bitterness that has been created in this body and get the nominations done. There is no reason a judge-to-be should have to wait for all this time, as the Senator from Vermont has indicated, just to get a vote. Whatever he is doing

now has been put on hold, and this is throughout the whole government.

So I would hope we can get a lot of these done. If not, we are going to have to spend a lot of time here because we cannot leave this Congress with all these things undone. I hope we can work together, as I have indicated.

REMEMBERING HOWARD GREENE, JR.

Mr. REID. Mr. President, I want to say one thing while my friend is on the floor.

When I came to the Senate, my friend from Vermont had already been here a dozen years. I remember—and I know he does—a man who had been the secretary for the majority and the secretary for the minority who controlled the staff of the Republicans. The Senator remembers Howard Greene—a guy who did not smoke a cigar, he just chewed on it all the time; he chewed on his cigar. That is when the rules were not nearly as strict as they are now about smoking.

Howard Greene was so nice to me as a new Senator. He had a lot of authority. For over three decades he was a recognizable person here on the Senate floor. In fact, specifically, for 28 years he held many positions, including as a doorkeeper, as a cloakroom assistant. He was, as I just indicated, both secretary for the minority and secretary for the majority.

Howard finished his distinguished career as the Sergeant at Arms. He retired in 1996.

I offer my condolences to Howard Greene's family and loved ones during this difficult time. Although it is of little consolation, I hope they know how grateful we are for Howard's many years of sacrifice to this body. He will be greatly missed, and he was very kind and thoughtful to me as a new Senator.

I say to my friend, you do remember Howard Greene?

Mr. LEAHY. I do.

Mr. REID. I thank the Presiding Officer.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.